

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

CECIL FOUNTAIN, JR.,

Plaintiff,

v.

WOLF CREEK LANDFILL, LLC,

Defendant.

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CIVIL ACTION

No. 5:13-CV-245 (CAR)

**ORDER REMANDING CASE**

On July 8, 2013, Defendant Wolf Creek Landfill, LLC, removed the instant action to this Court pursuant to 28 U.S.C. § 1332(a) based on the parties' complete diversity and Plaintiff Cecil Fountain, Jr.'s demand for damages in excess of \$75,000.00. On January 13, 2014, the Court dismissed Plaintiff's claims for emotional and punitive damages and ordered the parties to show cause why this case should not be remanded for lack of subject matter jurisdiction. In response, Plaintiff admits that he cannot satisfy the jurisdictional threshold. Defendant agrees. Accordingly, this case is hereby **REMANDED** to the Superior Court of Twiggs County, Georgia, pursuant to 28 U.S.C. § 1447.

**SO ORDERED**, this 27th day of February, 2014.

S/ C. Ashley Royal

C. ASHLEY ROYAL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

BBP